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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

JAMES S. GORDON, JR., an individual residing in Benton County, Washington, Plaintiffs vs. IMPULSE MARKETING GROUP, INC., a Nevada Corporation, Defendants ______________________ IMPULSE MARKETING GROUP, INC., Third-Party Plaintiff, vs. BONNIE GORDON, JAMES S. GORDON, III, JONATHAN GORDON, JAMILA GORDON, ROBERT PRITCHETT and EMILY ABBEY, Third-Party Defendants.	NO. CV-04-5125-FVS DEFENDANT'S MOTION FOR AUTHORITY TO RESPOND TO PLAINTIFF'S STATEMENT OF MATERIAL FACTS AND FOR RESCHEDULING OF TELEPHONIC ARGUMENT

Plaintiff filed its Motion to Dismiss and in the Alternative Motion for Summary Judgment. Plaintiff did not file a LR 56.1 Statement of Material Fact Relied Upon. Defendant has Responded to Plaintiff's Motion. Plaintiff has filed its "REPLY" and additionally has filed "LR 56.1 STATEMENT OF FACTS RELATED TO PLAINTIFF'S MOTION TO DISMISS OR FOR SUMMARY

Defendant's Motion for Authority to Respond to Plaintiff's Statement of Material Facts and For Rescheduling of Telephonic Argument - 1.
Z:\IPClient\ImpulseMarketingGroup v. Gordon\Pleadings\Plaintiff Motion for Summary Judgment\DefendantMotionTelephonicOralArgument\MotionRespondStatementMaterialFact\Defendant Mtn RespondToStatementMaterialFact.051006.wpd

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JUDGMENT" on September 30, 2005.

Defendant moves for authority to file a Response to Plaintiff's STATEMENT OF FACTS and for the rescheduling of the Telephonic Argument set for October 12, 2005. This motion is based on LR 56.1 and Defendant's Memorandum in Support of the Motion for Authority to Respond.

DATED this 6th day of October, 2005.

LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE

By /s/ FLOYD E. IVEY
FLOYD E. IVEY, WSBA #6888
Local Counsel for Defendant

I hereby certify that on October 6, 2005, I electronically filed **Defendant's Motion for Authority to Respond to Plaintiff's Statement of Material Facts and for Rescheduling Telephonic Argument** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to Douglas E. McKinley, Jr., Peter J. Glantz and Sean A. Moynihan. I hereby certify that I have served the foregoing to the following non-CM/ECF participants by other means: Bonnie Gordon, Jonathan Gordon, James S. Gordon, III and Robert Prichett. I hereby certify that I have served the foregoing to the following persons who are non-CM/ECF participants named in this lawsuit, but who have not yet been served or entered an appearance in this lawsuit by other means: Emily Abbey and Jamila Gordon.

S/ FLOYD E. IVEY
FLOYD E. IVEY

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